

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

23.3903

---

**SUSAN WRIGHT and  
husband JOHN WRIGHT,**

**Plaintiffs,**

**VS**  
**PROGRESSIVE DIRECT  
INSURANCE COMPANY and  
MOUNTAIN LAUREL ASSURANCE  
CO.,**

**NO.**

**Defendants.**

---

**NOTICE OF REMOVAL**

---

The Defendants, Progressive Direct Insurance Company and Mountain Laurel Assurance Company, by and through counsel, file this Notice of Removal in the above-referenced matter. The Defendants would show to the Court as follows:

1) On June 29, 2007 the Plaintiffs, Susan Wright and John Wright, commenced an action in the Circuit Court of Tennessee for the Thirtieth Judicial District at Memphis styled Susan Wright and husband John Wright vs. Progressive Direct Insurance Company and Mountain Laurel Assurance Company, cause No. CT-003403-07 in Division VI by filing an original Complaint and Summons, a copy of which is attached as Exhibit "A". The Petition for Removal is being filed within 30 days of the Defendants' receipt of the Complaint and Summons in this action pursuant to 28 U.S.C. §1446(b). No further proceedings have been had therein.

2) On information and belief, no other Defendants have been served in this matter.

3) The above-described action is a civil action over which this Court has original jurisdiction under the provisions of 28 U.S.C. §1332, Diversity of Citizenship, in as one which may be removed to this Court by the Defendants pursuant to the provisions of 28 U.S.C. §1441 in that it is a civil action in which the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs, between citizens of different states.

4) Upon information and belief, the Plaintiffs are citizens of the state of Tennessee.

5) The Defendants Progressive Direct Insurance Company and Mountain Laurel Assurance Company are both foreign insurance companies as alleged in paragraphs 2 and 3 of the Plaintiffs' Complaint.

6) The Defendants give written notice of the filing of this Notice of Removal to all adverse parties as required by 28 U.S.C. §1446(d), and will file a copy of this Notice of Removal with the Clerk of the Circuit Court of Tennessee for the Thirtieth Judicial District at Memphis as further required.

WHEREFORE, based on the foregoing, the Defendants ask this Court to remove this matter pending in the Circuit Court of Tennessee for the Thirtieth Judicial District at Memphis as described herein.

Respectfully submitted,

McNABB, BRAGORGOS & BURGESS

/S/: NICHOLAS E. BRAGORGOS - 12000  
Attorney for Defendants  
81 Monroe Avenue  
Sixth Floor  
Memphis, Tennessee 38103  
(901) 624-0640

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true copy of this pleading or document was served upon

Jason G. Whitworth  
202 South Cooper Street  
Suite 4  
Memphis, Tennessee 38104

David W. Hill  
488 South Mendenhall  
Memphis, Tennessee 38117

/S/: NICHOLAS E. BRAGORGOS